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Licata & Tyrrell P.C.

66 E. Main Street
Marlton, New Jersey

Tel: (856) 810-1515

Fax: (856) 810-1454

March 22, 2004

TO: Examiner Yaen(TC1600)

GROUP: 1642

FAX NUMBER: 703-872-9307

ATTORNEY DOCKET NO.: DEX-0113

SERIAL NO.: 09/700,770

FILED: January 16, 2001

NUMBER OF PAGES: 7

MESSAGE: Attached please find Request for Continued Examination (RCE) Transmittal Letter (in duplicate); Petition for Extension of Time Transmittal Letter (in duplicate); USPTO Credit Card Payment Form authorizing payment in the amount of \$1,190.00 (\$770.00 for RCE and \$420.00 for Extension of Time filing fees) and Certificate of Transmission by Facsimile.

Kathleen A. Tyrrell, Registration No. 38,350

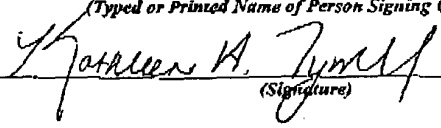
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If you have any questions, or did not receive the proper number of pages, or had trouble during transmission, please call 856-810-1515.

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.
Applicant(s): Yang et al.			DEX-0113
Serial No. 09/700,770	Filing Date January 16, 2001	Examiner Yaen, Christopher H.	Group Art Unit 1642
Invention: A Novel Method of Diagnosing, Monitoring and Staging Lung Cancer			
<p>I hereby certify that this <u>Request for Continued Examination & Petition for Extension of Time</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9307</u>) on <u>March 22, 2004</u> (Date)</p> <p style="text-align: right;"><u>Kathleen A. Tyrrell</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P1A/REV01

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)**Docket No.
DEX-0113In Re Application Of: **Yang et al.**Serial No.
09/700,770Filing Date
January 16, 2001Examiner
Yaen, Christopher H.Group Art Unit
1642Invention: **A Novel Method of Diagnosing, Monitoring and Staging Lung Cancer****TO THE COMMISSIONER FOR PATENTS:**

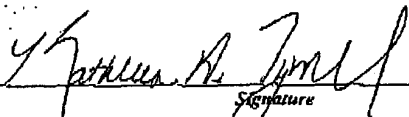
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of October 21, 2003 above-identified application.
Date

The requested extension is as follows (check time period desired):

☐ One month ☒ Two months ☐ Three months ☐ Four months ☐ Five months

from: January 22, 2004
*Date*until: March 21, 2004
*Date*The fee for the extension of time is **\$420** and is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **50-1619**
☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. **50-1619**


*Signature***Kathleen A. Tyrrell, Reg. No. 38, 350**Dated: **March 22, 2004**

Licata & Tyrrell P.C.
66 East Main Street
Marlton, New Jersey 08053
Tel : 856-810-1515
Fax: 856-810-1454

03/24/2004 AWONDAF1 00000013 09700770

02 FC:1252

420.00 0P

cc:

I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence**Typed or Printed Name of Person Mailing Correspondence*

P12LARGE/RFV08

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
(Large Entity)**Docket No.
DEX-0113

In Re Application Of: Yang et al.

Serial No.
09/700,770Filing Date
January 16, 2001Examiner
Yaen, Christopher H.Group Art Unit
1642

Invention: A Novel Method of Diagnosing, Monitoring and Staging Lung Cancer

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cc:

PTO/SB/30 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/700,770
Filing Date	January 16, 2001
First Named Inventor	Yang
Art Unit	January 16, 2001
Examiner Name	Yuen, Christopher H.
Attorney Docket Number	DEX-0113

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☒ Other Final Rejection filed January 21, 2004

- b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐

Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☒

Other Petition for Extension of Time

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1619

i. ☒ RCE fee required under 37 CFR 1.17(e) \$ 770.00 03/24/2004 AMONDAF1 00000013 09700770

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17) \$ 420.00 01 FC:1801

770.00 OP

iii. ☐ Other _____

- b. ☐ Check in the amount of \$ _____ enclosed

- c. ☒ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type) Kathleen A. Tyrrell

Registration No. (Attorney / Agent) 38,350

Signature *Kathleen A. Tyrrell*

Date March 22, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

Signature

Date

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/30 (08-03)

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 - ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ☒ Other Final Rejection filed January 21, 2004
 - ☒ Enclosed
 - ☐ Amendment/Reply
 - ☐ Affidavit(s)/Declaration(s)
 - ☐ Information Disclosure Statement (IDS)
 - ☒ Other Petition for Extension of Time
- Miscellaneous**
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Kathleen A. Tyrrell	Registration No. (Attorney/Agent)	38,350
Signature	<i>Kathleen A. Tyrrell</i>	Date	March 22, 2004

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